

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CASE NO. 98-13-40 (HL)

VILLEGAS -RIVERA, Milton

MOTION RECOMMENDING MODIFICATION OF CONDITIONS

**TO THE HONORABLE HECTOR M. LAFFITTE
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, Orlando Rullán, U.S. Probation Officer of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Milton Villegas -Rivera , who on September 27, 1999 plead guilty of violating Title 21:841(a)(1) . Mr. Villegas -Rivera was sentenced to a sixty five(65) months imprisonment term and four (4) years of supervised release. He commenced supervision on August 8, 2003.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:

Based on Mr. Villegas' instance offence, which consisted in smuggling narcotics, including heroin, into the United States territory, and past drug history, this officer recommends the Court to add the following special supervised release condition:

1. "The defendant shall submit his person, residence, office or vehicle to a search, conducted by a U.S. Probation officer at a reasonable time and in a reasonable matter, base upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to his condition."

The offender acknowledged understanding of this modification of his supervised release conditions and voluntarily signed the Probation Form # 49, a Waiver of Hearing to Modify Conditions of Supervised Release and Probation.

***WHEREFORE**, unless the Court rules otherwise, it is respectfully requested that an order be issue to amend the conditions of supervised release to include the search and seizure condition until the expiration of his supervised release term. If he fails to comply with the conditions of supervision, the Court will be notified and revocation procedures initiated.*

In San Juan, Puerto Rico, this 11th day of August, 2005

Respectfully submitted,

*EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER*

*s/Orlando Rullán
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ORO/

CERTIFICATE OF SERVICE

*I HEREBY certify that on August 11th, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
H.S. García, U.S. Attorney and Rafael Castro- Lang Esq.*

In San Juan, Puerto Rico August 11th, 2005.

s/Orlando Rullán
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